Sick people rely on false curative claims made for worthless concoctions, and thus permit their disease to progress unchecked. It may be too late when they lose confidence in the nostrum and seek rational treatment.

RECOMMENDATIONS FOR LEGISLATION

To protect the public from drugs which, like the "elixir," are dangerous because of their inherent toxicity, it is the Department's recommendation that legislation be enacted to provide at least the following:

1. License control of new drugs to insure that they will not be generally distributed until experimental and clinical tests have shown them to be safe for use. The definition of what constitutes a new drug should include (*a*) substances which have not been used sufficiently as drugs to become generally recognized as safe, (*b*) combinations of well-known drug substances where such combinations have not become generally recognized as safe, and (*c*) well-known drug substances and drug combinations bearing label directions for higher dosage or more frequent dosage or for longer duration of use than has become generally recognized as safe.

Exemption should be made for new drugs distributed to competent investigators for experimental work. A board of experts should be provided who will advise the Secretary of Agriculture on the safety of new drugs.

It is the Department's view that no other form of control will effectively safeguard the public from the dangers of premature distribution of new drugs. To increase the penalties for violations and to require label disclosure of ingredients would be helpful, but by no means fully adequate.

In the interest of safety, society has required that physicians be licensed to practice the healing art. Pharmacists are licensed to compound and dispense drugs. Electricians, plumbers, and steam engineers pursue their respective trades under license. But there is no such control to prevent incompetent drug manufacturers from marketing any kind of lethal potion.

2. Prohibition of drugs which are dangerous to health when administered in accordance with the manufacturer's directions for use. This would provide a more appropriate basis of action than that on which proceedings were instituted against the "elixir." A number of dangerous drugs are now on the market against which not even a trivial charge of violation can be made.

3. Requirement that drug labels bear appropriate directions for use and warnings against probable misuse. Much injury results from insufficient directions and from lack of warning against overdosage, or administration to children, or use in disease conditions where the drug is dangerous, or possibility of drug addiction.

4. Prohibition of secret remedies by requiring that labels disclose fully the composition of drugs. Many foreign countries now impose this requirement. Many drugs manufactured in the United States are exported to such countries under labels bearing such disclosure. The same drugs are sold to our citizens under labels that give no hint of their composition.

The physician, and the consumer who acts as physician to himself, both have a right to know what they administer.

Many poisoning cases result from choice of the wrong bottle from the home medicine cabinet, or from bottles left within the reach of small children. In such cases attending physicians are able to proceed intelligently and administer the proper antidotes or other treatment only if labels carry full disclosure of composition. Delays in obtaining this information by communicating with the manufacturer may often mean the difference between life and death.

Physicians are also handicapped in arriving at a correct diagnosis and beginning appropriate treatment when patients come to them after unsuccessful attempts at self-medication with secret remedies. The effect of such remedies may give rise to symptoms leading to erroneous diagnosis. But even if the diagnosis is correct, the kind of treatment to be used may depend upon what the patient has been taking. Again, in such circumstances, label declaration of composition may mean the difference between life and death.

The foregoing recommendations are limited to provisions which the Department believes should be enacted to safeguard the public from the dangers of drugs of one type. That type includes the inherently toxic drugs, such as the "elixir," dinitrophenol, and cinchophen. Many additional points should be considered if adequate protection is to be extended against even more widespread dangers to health and other abuses of public welfare arising from the inadequate control authorized by the present law over various other types of drugs.

PUBLIC HEALTH IS MAJOR EFFORT OF FEDERAL FOOD AND DRUG ADMINISTRATION*

Control of food and drug adulterations having a direct bearing on public health continued to require the major efforts of the Food and Drug Administration in the last fiscal year, according to the annual report of W. G. Campbell, Chief of the Administration.

Mobilization of an emergency force to follow the 1937 flood in the Ohio Valley and protect residents from food contaminated by flood waters was one of the conspicuous services by the Food and Drug Administration in the last year. Many of the forty-four federal food men assigned to the work had had experience in the 1936 flood. They were assisted by about eighty men from state and city food inspection organizations and from other federal agencies. The emergency organization functioned promptly. Work programs were under way in some areas before the flood waters began to recede. These crews handled food and drug preparations enough to have supplied a city of two hundred thousand population for a full year.

Another emergency requiring quick action by many field employees arose when it was discovered that emergency fumigation with hydrocyanic gas had made dangerous a quantity of raisins and other dried fruits—about 280,000 pounds—held up at the shipping point during the maritime strike and that these had been widely distributed. Food and Drug Administration workers quickly traced and seized nearly all the contaminated food, and the use of this method of fumigation for these commodities was immediately discontinued.

FINES VARY WIDELY

Mr. Campbell comments on the 1,700 court cases terminated in the year—1,355 food cases and 345 drug cases. "Fines varied," he says, "from sums as low as $1, $2, and $5 to a maximum actually paid of $1,500. Much higher fines were imposed in several cases, but were remitted in large part by the courts. Three jail sentences imposed in connection with second offenses were also suspended and the defendants placed on probation. In pleas of guilty to the adulteration of olive oil with tea-seed oil, two defendants were each fined $6,000, but $5,000 was subsequently remitted in each case.

"Courts in general vouchsafed no explanation for the imposition of nominal penalties. In one instance of a $2 penalty for the shipment of filthy and decomposed walnuts, the court indicated that it had taken into consideration the fact that the defendant had suffered a $1,400 loss in the seizure and destruction of the shipment by the Government. In another instance dealing with a practically worthless product offered as a treatment for serious diseases of the eye, the court imposed without comment, a fine of $1 and costs of $35."

"Other courts," Mr. Campbell continues, "have indicated a growing interest in the public protection afforded by the Food and Drugs Act. In passing sentence against a spinach canner who had entered a plea of guilty to the sale of dirty canned spinach, a court remarked that if the defendant was unable to manufacture clean food he had better get out of business and stay out of that court."

ISSUES IN LEGISLATION

Discussing possible changes in the law, Mr. Campbell says: "As in the three preceding years, legislative efforts have been continued in the Congress for a more adequate food and drug law. Senate Bill 5, introduced January 6, 1937, was passed by the Senate on March 9. This bill pro-

* From the United States Department of Agriculture.

poses a comprehensive revision of the Food and Drugs Act. Other bills of similar character are H. R. 300 and H. R. 5286. H. R. 5286 is designed to amend the Federal Trade Commission Act by authorizing specific control under that Act of false advertising of foods, drugs, therapeutic devices, and cosmetics.

"At the close of the fiscal year all these measures were pending before the House Committee on Interstate and Foreign Commerce. The principal issues involved were:

"1. Should seizure action to prevent distribution to consumers of a misbranded product be limited, pending court trial of the case, to a single interstate shipment of that article, or should the authority in the present law to seize all such shipments be continued?

"2. Should seizure cases be tried, as at present, where the goods are seized, before the courts and juries of the consuming areas where the goods are intended for distribution, or should the law be changed to authorize the case to be removed to the place from which the goods were shipped and there tried before the courts and juries of producing areas?

"3. Should the misbranding provision of the present law, which prohibits labeling that is 'false or misleading in any particular' be retained, or should the standard of truthfulness thus imposed be changed to ban labels only when 'misleading in a material respect'?

"4. Should false advertising of foods, drugs, therapeutic devices, and cosmetics be controlled through injunctions and cease-and-desist orders, which carry no penalty for the initial offense or for subsequent offenses up until the date the injunction or order becomes effective, or should a deterrent to the commission of these offenses be set up by providing penalties for their initial commission?"

ENFORCEMENT OF ACT

As compared with 1936, the Administration collected more samples of food and drugs, but there were slight decreases in the totals of the criminal prosecutions and seizures. Improvement in foreign trade was reflected in an increase in the number of import samples and in time devoted to imports.

The spray residue situation has improved materially, largely because many states now meet fully the federal standards and are controlling poisonous spray residues on fruits and vegetables before the products leave the State. Federal workers analyzed more than 5,000 samples of fresh fruits and vegetables, but on incomplete returns State laboratories are known to have made more than 85,000 tests.

"Continuing the good record of several years, no authentic case of botulism from American commercially canned food was reported," says Mr. Campbell.

Both the salmon and tuna packs required considerable control last year, but the sardine and mackerel packs gave no reason for seizures. The Administration and the salmon-packing industry have worked out a new method for simplifying the control of the pack and making it more effective.

Adulteration of food with water is one of the most profitable forms of economic cheats, and one of the hardest to deal with, says the report, emphasizing the need for legal standards to establish limits on the water content of canned and bottled products.

The Administration tested the vitamin D value of nearly 900,000 gallons of imported oils—principally cod-liver oil, intended for animal feeding. About one-third was deficient in vitamin value and was excluded. In interstate tests of vitamin products, twenty-four out of thirty-four samples failed to show the vitamin values claimed for them.

Conditions are improving notably, but the campaign for cleaner cream and butter will have to be continued, the report says. It also includes records of the enforcement of several minor acts administered by the Food and Drug Administration that regulate insecticide, caustic poisons, import milk, filled milk, naval stores, tea imports, and the certification of coal-tar colors.

UNITED STATES SENATORS AND REPRESENTATIVES IN CONGRESS: FOR CALIFORNIA

With Special Reference to Federal Pure Food and Drug Law

For the information of county society secretaries and members of the California Medical Association who desire to write to the two United States Senators from California and to the Representatives from their own and other districts, the roster of congressmen is given below.

While Congress is in session, as at the time of this writing, these congressmen may be addressed as follows:

Hon. _____
Senator for California
(or Congressman for California)
Washington, D. C.

CALIFORNIA AND WESTERN MEDICINE, in its December issue, on pages 366 and 435, discussed the Federal Food and Drug laws. County societies were urged to write to congressmen. The roster below may be of service.

UNITED STATES SENATORS AND REPRESENTATIVES IN CONGRESS

United States Senators

Hiram W. Johnson (Rep.), Mills Tower Building, San Francisco.

William G. McAdoo (Dem.), Transamerica Building, Los Angeles.

Represenatives in Congress

Clarence F. Lea (Dem., Rep.), 719 North Street, Santa Rosa, First District.

Harry L. Englebright (Rep., Dem.), Nevada City, Second District.

Frank H. Buck (Dem.), Vacaville, Third District.

Franck R. Havenner (Prog.), 640 Ellis Street, San Francisco, Fourth District.

Richard J. Welch (Rep., Dem., Prog.), 978 Guerrero Street, San Francisco, Fifth District.

Albert E. Carter (Rep., Dem., Prog.), 552 Montclair Street, Oakland, Sixth District.

John H. Tolan (Dem.), 1007 Harvard Road, Oakland, Seventh District.

John Joseph McGrath (Dem., Rep., Prog.), 280 Crystal Springs Road, San Mateo, Eighth District.

B. W. Gearhart (Rep., Dem.), 857 M Street, Fresno, Ninth District.

Henry E. Stubbs (Dem.), 707 East Cypress, Santa Maria, Tenth District.

John Steven McGroarty (Dem.), Tujunga, Eleventh District.

H. Jerry Voorhis (Dem.), Valley Center, San Dimas, Twelfth District.

Charles Kramer (Dem.), 1947 North Serrano, Los Angeles, Thirteenth District.

Thomas F. Ford (Dem.), 940 North Benton Way, Los Angeles, Fourteenth District.

John M. Costello (Dem.), 2142 Canyon Drive, Hollywood, Fifteenth District.

John F. Dockweiler (Dem., Rep.), 935 South Dunsmuir, Los Angeles, Sixteenth District.

Charles J. Colden (Dem.), 2200 Alma Street, San Pedro, Los Angeles, Seventeenth District.

Byron N. Scott (Dem.), 6325 East Ocean Boulevard, Long Beach, Eighteenth District.

Harry N. Sheppard (Dem.), Box 465 Yucaipa, Nineteenth District.

E. V. Isaac (Dem.), 5380 El Cajon, San Diego, Twentieth District.

Do Not Coddle Diabetic Child, Physicians Warn.—Severe onsets of diabetes in children may be due principally to false notions and neglect in parents, in many instances. Ordinarily, diabetic children under adequate treatment are as healthy otherwise as so-called normal children, and should be treated like others of their age. They should not be singled out by the parents for special coddling or undirected home treatment, nor should they be segregated from other children or adults.

This statement is made by the Division of Pediatrics of the University of California Medical School, in an effort to decrease the disabilities of children during the acute phases of child diabetes generally.